

STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0084425; AI 20138; PER20080001** to discharge to waters of the **State of Louisiana** as per LAC 33:IX.2311.

The **permitting authority** for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

- I. **THE APPLICANT IS:** Vacco Marine, Inc.
 Vacco Marine
 P.O. Box 8032
 Houma,, LA 70361

- II. **PREPARED BY:** Angela Marse

- DATE PREPARED:** November 18, 2008

- III. **PERMIT ACTION:** reissue LPDES permit LA0084425, AI 20138; PER20080001

 LPDES application received: July 25, 2008

 LPDES permit issued: September 1, 2003
 LPDES permit expired: August 31, 2008

IV. **FACILITY INFORMATION:**

- A. Vacco Marine, Inc. is an existing barge cleaning and oil reclamation facility. The application is for the discharge of treated marine barge and ballast water, used and crude oil spill waters, internal and external vacuum truck washwaters, diesel fuel tank washwaters, contact stormwater from onsite containment areas, sanitary wastewater, and non-contact stormwater run-off from a centralized waste treatment facility serving the nearby industries.

- B. The facility is located at 213 Thompson Road in Houma, Terrebonne Parish.

- C. The process wastewater treatment facility consists of physical separation and biological degradation through dissolved air floatation and filtration. Sanitary wastewater is treated by aeration and chlorine disinfection.

- D. Outfall 001

 Discharge Location: Latitude 29° 32' 38" North
 Longitude 90° 41' 04 West

 Description: non-contact stormwater

 Design Capacity: 0.011 MGD

Type of Flow Measurement which the facility is currently using: stop watch and bucket

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Outfall 002

Discharge Location: Latitude 29° 32' 38" North
Longitude 90° 41' 01" West

Description: process wastewater including marine barge and ballast water, used and crude oil spill waters, internal and external vacuum truck washwaters, diesel fuel tank washwaters, and contact stormwater from onsite containment areas

Design Capacity: 0.017 MGD

Type of Flow Measurement which the facility is currently using: totalizing meter

Outfall 003

Discharge Location: Latitude 29° 32' 41" North
Longitude 90° 41' 03" West

Description: treated sanitary wastewater

Design Capacity: 0.0002 MGD

Type of Flow Measurement which the facility is currently using:
estimate based on facility design

Outfall 004

Discharge Location: Latitude 29° 32' 38" North
Longitude 90° 41' 04" West

Description: treated sanitary wastewater

Design Capacity: 0.0003 MGD

Type of Flow Measurement which the facility is currently using:
estimate based on facility design

V. RECEIVING WATERS:

The discharge from Outfalls 001, 002, and 004 is into an unnamed drainage ditch, thence into Bayou Grand Caillou in segment 120501 of the Terrebonne Basin. The discharge from Outfall 003 is into an unnamed drainage ditch, thence into the Houma Navigational Canal in segment 120509 of the Terrebonne Basin. Segment 120501 is listed on the 303(d) list of impaired waterbodies.

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The designated uses and degree of support for Segment 120501 of the Terrebonne Basin are as indicated in the table below^{1/}:

Overall Degree of Support for Segment 120501	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Partial	Full	Full	Not Supported	N/A	N/A	N/A	N/A

^{1/}The designated uses and degree of support for Segment 120501 of the Terrebonne Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2006 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

Section 303 (d) of the Clean Water Act, as amended by the Water Quality Act of 1987 and EPA's regulations at 40 CFR 130, require that each state identify those waters within its boundaries not meeting water quality standards. The Clean Water Act further requires states to implement plans to address impairments. The causes of impairment for Subsegment 120501 are phosphorus, nutrients, and low dissolved oxygen/organic enrichment. Total Maximum Daily Loadings Studies (TMDLs) have been completed for the Terrebonne Basin to address impairments and are discussed below.

Bayou Grand Caillou Watershed TMDL for Biochemical Oxygen Demanding Substances and Nutrients, 2005. A TMDL model was conducted to establish load limitations for oxygen-demanding substances and goals for reduction of those pollutants. LDEQ's position is that when oxygen-demanding substances are controlled and limited in order to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. This is supported by the declaratory ruling issued by Secretary Givens in response to the lawsuit regarding water quality criteria for nutrients (*Sierra Club v. Givens*, 710 So.2d 249 [La. App. 1st Cir. 1997], writ denied, 705 So.2d 1106 (La. 1998)). The model determined an eighty percent reduction in nonpoint pollution will maintain a water quality standard of 5.0 mg/l dissolved oxygen (DO). No reduction in point source pollution was required by the model. Therefore, no DO limitation is required for point sources like Vacco Marine, Inc. However, a BOD₅ limit is proposed in the permit to protect against the discharge of oxygen depleting pollutants at levels that would cause in stream oxygen problems. BOD₅, biochemical oxygen demand, measures the amount of dissolved oxygen in the waste stream utilized by organisms during the decomposition of organic material over a five day period.

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The designated uses and degree of support for Segment 120509 of the Terrebonne Basin are as indicated in the table below^{1/}:

Overall Degree of Support for Segment 120501	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Full	Full	Full	Full	N/A	Full	N/A	N/A

^{1/}The designated uses and degree of support for Segment 120509 of the Terrebonne Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2006 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

VI. ENDANGERED SPECIES:

The receiving waterbodies, Subsegment 120501 and 120509 of the Terrebonne Basin, are not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 27, 2007 from Boggs (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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For additional information, contact:

Mrs. Angela Marse
 Water Permits Division
 Department of Environmental Quality
 Office of Environmental Services
 P. O. Box 4313
 Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:**Final Effluent Limits:****OUTFALL 001**

Stormwater from the service, treatment, and storage areas are drained by Outfall 001. Runoff flows through a concrete ditch into a 500 gallon concrete sump with a pipe weir system to separate debris or oil from the stormwater. The Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP) authorizes the discharge of stormwater associated with industrial activity as defined in LAC33:IX.2511.B.14. Effluent limits are based on the MSGP, Sector I. Oil and Gas Extraction and Refining. This includes oil and gas processing or treatment facilities, the production of hydrocarbon liquids, associated oil field service, supply, and repair.

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Daily Max.	Basis
TOC	---	50 mg/l	LDPEs Multi-Sector General Permit, Sector I. Oil&Gas Extraction & Refining.
COD		100 mg/l	LDPEs Multi-Sector General Permit, Sector I. Oil&Gas Extraction & Refining.
TSS	---	100 mg/l*	LDPEs Multi-Sector General Permit, Sector I. Oil&Gas Extraction & Refining.
Total Recoverable Lead	---	0.082 mg/l*	LDPEs Multi-Sector General Permit, Sector I. Oil&Gas Extraction & Refining.
Total Recoverable Nickel	---	0.47 mg/l*	LDPEs Multi-Sector General Permit, Sector I. Oil&Gas Extraction & Refining.
Total Recoverable Zinc	---	0.12 mg/l*	LDPEs Multi-Sector General Permit, Sector I. Oil&Gas Extraction & Refining.
Ammonia nitrogen	---	19 mg/l*	LDPEs Multi-Sector General Permit, Sector I. Oil&Gas Extraction & Refining.
Nitrate + Nitrite Nitrogen	---	0.68 mg/l*	LDPEs Multi-Sector General Permit, Sector I. Oil&Gas Extraction & Refining.
Oil and Grease	---	15 mg/l*	LDPEs Multi-Sector General Permit, Sector I. Oil&Gas Extraction & Refining.

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* These are benchmark values. If analytical results determine the concentration of these parameters in the effluent are greater than the benchmark values, the permittee shall take corrective action through the Stormwater Pollution Prevention Plan to reduce concentrations of applicable parameters below benchmark values. Any corrective action taken should be noted in the SWPPP

**Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement.

Other Effluent Limitations:**1) pH**

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.)

2) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

OUTFALL 002

There are two processes at Vacco Marine, LLC; 1.) treatment of oily wastewater (including marine barge and ballast water, used and crude oil spill waters) generated off-site and 2.) truck washing (including internal and external vacuum truck washwaters and diesel fuel truck washwaters). Washwater from trucks containing pesticides, herbicides, PCBs, chlorinated organics, or other hazardous materials that can not be treated by the treatment process at this facility should not be accepted for cleaning. Treatment of oily wastewater is regulated by EPA's guidelines for centralized waste treatment facilities found at 40 CFR Part 437, Subpart B. The regulations say a centralized waste treatment (CWT) facility means any facility that treats (for disposal, recycling or recovery of material) any hazardous or non-hazardous industrial wastes, hazardous or non-hazardous industrial wastewater, and /or used material received from off-site. Vacco Marine does own the trucks transporting the waste, but discharge volumes are not large enough to be regulated by EPA's Transportation and Equipment Cleaning Guidelines. Similar facilities have been issued effluent limits based on LDEQ's Barge Cleaners' Guidance Document (TKO Services, Inc., LA0101567, Port Marine, LA0105040) for truck and equipment washing. These limits are applicable here because of truck washing. The discharge is into a drainage canal, thence into Bayou Grand Caillou. Due to limited stream flow and the nature of the discharge, water quality limits were derived for the guideline parameters with state water quality criteria (in this case, metals). A water quality spreadsheet compared the technology based effluent limits for centralized waste treatment facilities to the water quality limits based on water quality factors. Where the water quality based limit was more stringent than the technology based, the water quality based limit has been applied. Therefore, proposed limits will be based on LDEQ's Barge Cleaner's Guidance Document for Petroleum Products, EPA Guidelines for Centralized Waste Treatment Facilities, and water quality based limits.

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

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Effluent Characteristic	Monthly Avg.	Weekly Avg.	Basis
BOD ₅	20 mg/l	30 mg/l	Best Professional Judgment based on receiving stream impairments and effluent characteristics.
TSS	30.6 mg/l	74.1 mg/l	40 CFR Part 437 Subpart B. Effluent Limitations attainable by the application of best applicable control technology for centralized waste treatment facility that treat and recover oil from waste and/or wastewater.
Oil and Grease	---	15 mg/l	BPJ based on truck washing operations and LDEQ Barge Cleaner's Guidance Document for Petroleum Products and Inorganic Chemicals and the previous permit.
COD	250 mg/l	400 mg/l	BPJ based on truck washing operations and LDEQ Barge Cleaner's Guidance Document for Petroleum Products and Inorganic Chemicals and the previous permit.
Arsenic ¹	.367	.872	Water Quality Based Limit. See Appendix B-1.
Cadmium ¹	0.0102	0.0172	40 CFR Part 437 Subpart B. Effluent Limitations attainable by the application of best applicable control technology for centralized waste treatment facility that treat and recover oil from waste and/or wastewater.
Chromium VI ¹	0.09	0.214	Water Quality Based Limit. See Appendix B-1.
Cobalt	18.8	56.4	40 CFR Part 437 Subpart B. Effluent Limitations attainable by the application of best applicable control technology for centralized waste treatment facility that treat and recover oil from waste and/or wastewater.
Copper ¹	0.09	0.214	Water Quality Based Limit. See Appendix B-1.
Lead ¹	0.154	0.366	Water Quality Based Limit. See Appendix B-1.
Mercury ¹	0.00013	0.0003	Water Quality Based Limit. See Appendix B-1.
Tin ¹	0.165	0.335	40 CFR Part 437 Subpart B. Effluent Limitations attainable by the application of best applicable control technology for centralized waste treatment facility that treat and recover oil from waste and/or wastewater.
Zinc ¹	0.461	0.604	Water Quality Based Limit. See Appendix B-1.

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Effluent Characteristic	Monthly Avg	Weekly Avg	Basis
Bis (2-ethylhexyl) phthalate	0.101	0.215	40 CFR Part 437 Subpart B. Effluent Limitations attainable by the application of best applicable control technology for centralized waste treatment facility that treat and recover oil from waste and/or wastewater.
Butylbenzyl phthalate	0.0887	0.188	40 CFR Part 437 Subpart B. Effluent Limitations attainable by the application of best applicable control technology for centralized waste treatment facility that treat and recover oil from waste and/or wastewater.
Carbazole	0.276	0.598	40 CFR Part 437 Subpart B. Effluent Limitations attainable by the application of best applicable control technology for centralized waste treatment facility that treat and recover oil from waste and/or wastewater.
n-Decane	0.437	0.948	40 CFR Part 437 Subpart B. Effluent Limitations attainable by the application of best applicable control technology for centralized waste treatment facility that treat and recover oil from waste and/or wastewater.
Fluoranthene	0.0268	0.0537	40 CFR Part 437 Subpart B. Effluent Limitations attainable by the application of best applicable control technology for centralized waste treatment facility that treat and recover oil from waste and/or wastewater.
n-Octadecane	0.302	0.589	40 CFR Part 437 Subpart B. Effluent Limitations attainable by the application of best applicable control technology for centralized waste treatment facility that treat and recover oil from waste and/or wastewater.
Total Phenol	---	0.5	BPJ based LDEQ Barge Cleaner's Guidance Document for Petroleum Products and Inorganic Chemicals, truck washing operations, and the previous permit.
Benzene ^{1,2}	---	0.3	BPJ based on truck washing operations and LDEQ Barge Cleaner's Guidance Document for Petroleum Products and Inorganic Chemicals and the previous permit.
Toluene ^{1,2}	---	0.3	BPJ based on truck washing operations and LDEQ Barge Cleaner's Guidance Document for Petroleum Products and Inorganic Chemicals and the previous permit.

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Effluent Characteristic	Monthly Avg	Weekly Avg	Basis
Total xylene ^{1,2}	---	0.3	BPJ based on truck washing operations and LDEQ Barge Cleaner's Guidance Document for Petroleum Products and Inorganic Chemicals and the previous permit.
Ethylbenzene ^{1,2}	---	0.3	BPJ based on truck washing operations and LDEQ Barge Cleaner's Guidance Document for Petroleum Products and Inorganic Chemicals and the previous permit.
Polynuclear Aromatic Hydrocarbons ³	---	0.01 mg/l	BPJ based on the previous permit.

¹ If any individual analytical test results is less than the minimum quantification level (MQL) listed in Part II, Section A, Paragraph 12 of the permit, a value of zero (0) may be used for that individual result for the Discharge Monitoring Report (DMR) calculations and reporting requirements.

² All effluent characteristics shall be sampled simultaneously. The sum of the highest three (3) effluent characteristics in any one sampling shall not exceed 0.3 mg/l (Daily Maximum). If a grab sample is collected on any one day, the results shall not exceed the Daily Maximum value. Report individual component results and total of the highest three components.

³ The daily maximum value of any of the following PAH's shall not exceed 10 ug/l as quantified by EPA Method 610: acenaphthene, acenaphthylene, anthracene, benzo(a) anthracene, benzo(b) fluoranthene, benzo(k) fluoranthene, benzo (ghi) perylene, benzo(a)pyrene, chrysene, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3,cd)pyrene, naphthalene, phenanthrene, pyrene.

Other Effluent Limitations:**1) pH**

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.)

2) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

3) Priority Pollutants

The previous permit required a priority pollutant scan (except pesticides) twice/year.

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Final Effluent Limits:**OUTFALL 003 & 004**

Discharges from outfalls 003 and 004 contain treated sanitary wastewater. Effluent limits for facilities discharging treated sanitary wastewater in quantities less than 5,000GPD maximum expected flow (as calculated using sewage loading guidelines in the state sanitary code or alternative approved source) are based on the Class I Sanitary Discharge General Permit.

Effluent Characteristic	Monthly Avg.	Weekly Avg.	Basis
BOD ₅	---	45 mg/l	Class I Sanitary Discharge General Permit and BPJ from previously issued water discharge permits for similar facilities/effluents.
TSS	---	45 mg/l	Class I Sanitary Discharge General Permit and BPJ from previously issued water discharge permits for similar facilities/effluents.
Fecal Coliform	---	400 col/100ml	Class I Sanitary Discharge General Permit and BPJ from previously issued water discharge permits for similar facilities/effluents.

Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement.

Other Effluent Limitations:**1) pH**

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.)

2) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

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X. PREVIOUS PERMITS:

LPDES Permit No. LA0084425: Issued: September 1, 2003
Expired: August 31, 2008

Outfall 001

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Daily Avg.</u>	<u>Daily Max.</u>	<u>Measurement</u>	<u>Sample</u>
<u>Frequency</u>	<u>Type</u>			
Flow	Report	Report	1/quarter	Estimate
TOC	---	50 mg/l	1/quarter	Grab
Oil&grease	---	15 mg/l	1/quarter	Grab
pH	---	---	1/quarter	Grab

Outfall 002

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Daily Avg.</u>	<u>Daily Max.</u>	<u>Measurement</u>	<u>Sample</u>
<u>Frequency</u>	<u>Type</u>			
Flow	Report	Report	Continuous	Recorder
BOD ₅	20 mg/l	30 mg/l	1/week	Grab
TSS	30.6 mg/l	74.1 mg/l	1/week	Grab
Oil and grease	---	15 mg/l	1/week	Grab
TOC	---	70 mg/l	1/week	Grab
Antimony	0.141 mg/l	0.237 mg/l	1/week	Grab
Arsenic	1.33 mg/l	2.95 mg/l	1/week	Grab
Barium	0.281 mg/l	0.427 mg/l	1/week	Grab
Cadmium	0.0102 mg/l	0.0172 mg/l	1/week	Grab
Chromium				
Cobalt	18.8 mg/l	56.4 mg/l	1/week	Grab
Copper	0.242 mg/l	0.5 mg/l	1/week	Grab
Lead	---	0.15 mg/l	1/week	Grab
Mercury	0.0065mg/l	0.0172 mg/l	1/week	Grab
Molybdenum	2.09 mg/l	3.5 mg/l	1/week	Grab
Tin	0.165 mg/l	0.335 mg/l	1/week	Grab
Titanium	0.0299mg/l	0.051 mg/l	1/week	Grab
Zinc	4.5 mg/l	8.26 mg/l	1/week	Grab
Benzene	---	*	1/week	Grab
Toluene	---	*	1/week	Grab
Total xylene	---	*	1/week	Grab
Ethylbenzene	---	*	1/week	Grab
Polynuclear Aromatic				
Hydrocarbons	---	0.1**	1/week	Grab
Total Phenols	---	0.5 mg/l	1/week	Grab
Bis(2-ethylhexyl)				
Phthalate	0.101 mg/l	0.215 mg/l	1/week	Grab
Butyl Benzyl				
Phthalate	0.0887 mg/l	0.188 mg/l	1/week	Grab
Carbazole	0.276 mg/l	0.598 mg/l	1/week	Grab
n-Decane	0.437 mg/l	0.948 mg/l	1/week	Grab
Fluoranthene	0.0268 mg/l	0.0537 mg/l	1/week	Grab
n-Octadecane	0.302 mg/l	0.589 mg/l	1/week	Grab
Priority Pollutants				
(except pesticides)	---	Report mg/l	2/year	Grab
pH	---	---	1/week	Grab

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*All characteristics shall be sampled simultaneously. The sum of the highest three effluent characteristics in any one sampling shall not exceed a Daily Maximum of 0.3 mg/l.

**The Daily Maximum value of any of the following shall not exceed 0.01 mg/l: acenaphthene, acenaphthylene, anthracene, benzo(a) anthracene, benzo (b) fluoranthene, benzo(k) fluoranthene, benzo(ghi) perylene, benzo(a) pyrene, chrysene, dibenzo (a,h) anthracene, fluoranthene, fluorine, indeno(1,2,3,cd) pyrene, naphthalene, phenanthrene, pyrene.

Outfall 003

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Monthly Avg.</u>	<u>Weekly Avg.</u>	<u>Measurement</u>	<u>Sample</u>
<u>Frequency</u>	<u>Type</u>			
Flow	Report	Report	1/6 months	Estimate
BOD ₅	---	45 mg/l	1/6 months	Grab
TSS	---	45 mg/l	1/6 months	Grab
Fecal coliform	---	400 mg/l	1/6 months	Grab
pH	---	---	1/6 months	Grab

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:**A) Inspections**

A review of the files indicates no recent inspections were performed for this facility.

B) Compliance and/or Administrative Orders

A review of the files (2000-present) indicates no recent enforcement actions administered against this facility.

C) DMR Review

A review of the discharge monitoring reports for the period beginning **June, 2006** through **June, 2008** revealed no violations. The previous permit required a priority pollutant scan twice/year. However, no priority pollutant scan was found on file during the DMR review. Therefore, the priority pollutant scan requirement has been included in the draft permit. Failure to submit the priority pollutant scan results has been noted on the compliance history review and forwarded to the Office of Environmental Compliance/Enforcement Division.

XII. ADDITIONAL INFORMATION:

This permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(C) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act or more stringent discharge limitations and/or restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's, if the effluent standard, limitations, water quality studies or TMDL's so issued or approved:

- Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- Controls any pollutant not limited in the permit; or
- Requires reassessment due to change in 303(d) status of waterbody; or

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- d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

The Louisiana Department of Environmental Quality (LDEQ) reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as requested by the permittee and/or as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

STORMWATER POLLUTION PREVENTION PLAN

The requirements of Part II, Section B apply to stormwater discharges associated with industrial activity (oil and gas services) defined at LAC 33:IX.2511.B.14.e and Sector I of the LDPES Multi-Sector General Permit. These requirements apply to point source stormwater discharges associated with oil and gas exploration, production, processing, or treatment operations, or transmission facilities. Therefore, Vacco Marine will also be required to develop a Stormwater Pollution Prevention Plan to be effective six months from the effective date of the permit. If Vacco Marine has a SWPPP they shall continue to maintain the SW3 under Part III, Section B of the permit.

XIII. TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in this Statement of Basis.

XIV. REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2004.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Vacco Marine, Inc., Vacco Marine, July 25, 2008.